

SOS GA Testimony

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In-Person Voting with Photo Identification: Background

In 2006 the State of Georgia enacted Senate Bill 84, which requires voters who cast their ballot in person to present one of six forms of acceptable photo identification.

The six forms of acceptable photo ID:

- ✓ A Georgia driver's license, even if expired;
- ✓ Any valid state or federal government issued photo ID, including a free Voter ID Card issued by the voter's county registrar or Georgia Department of Driver Services;
- ✓ Valid U.S. passport;
- ✓ Valid employee photo ID from any branch, department, agency, or entity of the U.S. Government, Georgia, or any county, municipality, board, authority, or other entity of this state;
- ✓ Valid U.S. military photo ID; or
- ✓ Valid tribal photo ID.

If a voter does not have a photo ID or forgets to bring their photo ID to the polls, they can still cast a provisional ballot.

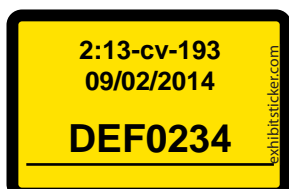
- ✓ The voter then has until the Friday after Election Day to obtain an acceptable form of photo ID, and return to their county elections office to have their vote counted.

No voter is ever turned away from the polls because they do not have an acceptable form of photo ID!

The Secretary of State's Office implemented a website (www.GaPhotoID.com) to educate Georgia voters about:

- ✓ The photo ID requirement for in-person voting
- ✓ The free Voter ID Card for voters who do not have photo ID
- ✓ The free photo ID card available at Dept. of Driver Services centers

The website also contains flyers, posters and brochures about Georgia's photo ID requirement that users can print and distribute.



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In-Person Voting with Photo Identification: Outreach and Education

The Secretary of State's Office conducted a statewide, multi-media outreach and education campaign to inform Georgia voters about all facets of the photo ID requirement.

- ✓ The outreach and education campaign was conducted prior to six elections between September, 2007 and the November, 2008 General Election.

Media Type	Number
Direct Mail and Utility Bill Inserts	Over 5,009,700 pieces
Packages of Photo ID Materials to NGOs (Chambers of Commerce, Churches, Libraries)	633 packages; over 57,000 pieces
Automated Reminder Phone Calls	83,500
Video PSAs	1,232
Radio PSAs	Over 60, 610
Press releases	70

Outreach and Education Campaign Highlights:

- ✓ 5,720 radio PSAs featuring then-Secretary of State Karen Handel and Atlanta Falcons players.
 - ✓ These PSAs increased awareness of the photo ID requirement, voter registration deadlines, and early voting options.
- ✓ Atlanta Falcons home games featured end zone-to-end zone LED banners directing fans to visit the Secretary of State's website for more information on photo ID, voter registration and early voting.
- ✓ Radio ads were purchased statewide on Clear Channel stations for airing during news casts, traffic reports, Atlanta Braves games, and on Clear Channel websites.
- ✓ 400 ads were placed inside Atlanta's MARTA buses to remind riders of photo ID.

In-Person Voting with Photo Identification: Voter Identification Cards

Year	Cards Issued
2006	2,182
2007	4,229
2008	12,332
2009	2,473
2010	2,683
Grand Total (2006-2010)	23,899

Additionally:

- 1) Georgia's county elections offices issued 165 free Voter ID Cards in January 2011, bringing the latest grand total to 24,064)
- 2) The Georgia Department of Driver Services Centers issued 1,052 free photo ID cards between 2005 and January 13.
 - a. Below is a breakdown by year.

COUNT	YEAR
88	2005
108	2006
98	2007
529	2008
92	2009
134	2010
3	2011

Approximate grand total Voter Identification Cards issued by county elections offices and Department of Driver Services centers: 25,116

- 3) 51 percent of the VICs issued since the program began were issued in 2008, the presidential election year. Presidential election years historically feature the highest number of votes.

4) Process for getting a Voter Identification Card

- To obtain a free Voter Identification Card, an individual must provide:
 - A photo identity document or approved non-photo identity document that includes full legal name and date of birth;
 - Documentation showing the voter's date of birth;
 - Evidence that the applicant is a registered voter;
 - Documentation showing the applicant's name and residential address.
- Acceptable photo identity documents to obtain Voter Identification Card:
 - A student ID Card, including public or private high school, college, university or vocational school;
 - Transit Card;
 - Pilot's License;
 - Nursing Home Identification Card;
 - Employee Identification Card;
 - Government Housing Authority Identification Card;
 - Any government issued license;
 - Any card accepted by local, state, or federal government for the provision of benefits; or
 - Any card accepted by local, state, or federal government for access to buildings.
- Acceptable nonphoto identity document in lieu of a photo identity document (only if it includes both the applicant's full legal name and date of birth):
 - Original birth certificate or certified copy of birth certificate;
 - Certificate of birth registration;
 - Voter registration application;
 - Copy of records filed in court by the applicant or on behalf of the applicant by the applicant's counsel;
 - Naturalization documentation;
 - Copy of marriage license application;
 - Copy of the applicant's State or Federal Tax Return filed for the previous calendar year;
 - Any other document issued by a local, state or federal government so long as the document provides reasonably reliable confirmation of the identity of the applicant;

- Paycheck or paycheck stub bearing the imprinted name of the applicant's employer;
- An original of the annual social security statement received by the applicant for current or preceding calendar year;
- An original of a Medicare or Medicaid statement received by the applicant;
- Certified school record or transcript for current or preceding calendar year;
- Hospital birth certificate;
- An authenticated copy of a doctor's record of post-natal care; or\
- A federal Affidavit of Birth, Form DS-10.
- Proof of voter registration – Board of registrars shall accept the applicant's voter registration application or voter's precinct card.
- Documents allowed as acceptable documentation showing the applicant's name and residential address:
 - Any of the above documents;
 - Voter precinct card;
 - Utility or cable bill issued within the last 60 days;
 - Bank statement issued within the last 60 days;
 - Currently valid rental contracts and/or receipts for payments made within the last 60 days for rent payments;
 - A copy of the applicant's State or Federal income tax for the preceeding calendar year;
 - Homeowners insurance policy or bill for current or preceding calendar year;
 - Mortgage, payment coupon, deed, or property tax bill for current or preceding calendar year;
 - Current automobile registration receipt;
 - Homestead exemption documentation; or
 - W-2 for the preceding calendar year.
- If an individual is denied a Georgia Voter Identification Card, the application and supporting documentation shall be immediately forwarded via facsimile and U.S. Mail to the State Election Board for automatic review to determine if the applicant has provided reasonably reliable documentation confirming the identity of the applicant.
- If the person has an expired driver's license or ID card, then that person is not eligible to get the Voter ID card.
 - Voter ID card is only valid as an identification card for voting.

- How long is the Voter Identification Card valid:
 - It is valid so long as the person resides at the same address and remains qualified to vote.
 - If a person moves, it is his/her duty to surrender the Voter Identification Card to the board of registrars of the county of his/her new residence, and if the person is still eligible for a Voter Identification Card, he/she can submit a new application and receive another free card.
- Voter ID card contains the following information:
 - Full legal name;
 - Address;
 - Birth date;
 - Date the Voter ID card was issued
 - Sex;
 - Height;
 - Weight;
 - Eye color;
 - County where the card was issued;
- Information in the Voter ID card application is sworn to by applicant and falsifying information in the application is a felony.

In-Person Voting with Photo Identification: Analysis of Votes Cast

How many votes have been cast in Georgia elections with the photo ID law in place?

More than 14,630,000 votes have been cast in 35 state and federal elections in Georgia since September 2007 when photo ID was first required for in-person voting. (These figures do not include all municipal and county elections, which are administered locally.)

Additionally, the 2008 elections were the largest in Georgia's history, featuring record turnout among minority voters with the photo ID requirement in place. The following figures represent voter turnout statistics among Hispanic/Latino, African-American and White voters from the 2004 and 2008 General Elections.

Voter Demographic	2004 Total Number of Votes Cast	2008 Total Number of Votes Cast	Percentage Increase in Votes Cast
Hispanic/Latino	18,000	43,000	140%
African-American	834,000	1.2 million	42%
White	2.3 million	2.5 million	8%

How many provisional ballots have been cast because the voter lacked photo ID, and how many voters returned with photo ID to have their ballot counted?

	November 5, 2013 General Election	February 5, 2014 Primary Election
Voters who voted provisionally because they lacked ID.	1,181 (3,972,704 total votes)	271 (2,164,622 total votes)
Voters who returned to provide ID.	308	82
Voters who did not return to provide ID.	873	189

	November 5, 2013 General Election	February 5, 2014 Primary Election
Voters who voted provisionally because they lacked ID.	381 (2,485,670 total votes)	35 (265,133 total votes)
Voters who returned to provide ID.	108	6
Voters who did not return to provide ID.	272	29

Why did the voters who cast a provisional ballot not return with photo ID to have their vote counted?

- We can't know for sure, but it could be because:
 - The outcome of the election was not in doubt, or
 - They were attempting in-person voter fraud.

Total votes cast in-person versus by mail in past two General Elections

	Nov. 4, 2008 G.E.	Dec. 2, 2008 R.O.	Nov. 2, 2010 G.E.	Nov. 30, 2010 R.O.
In-person early and on Election Day	3,623,513 (91.2% in- person)	1,947,875 (90% in-person)	2,485,670 (93.4% in- person)	265,133 (81% in-person)
Mail-in Votes	349,191	216,747	174,294	62,832
Total Votes	3,972,704	2,164,622	2,659,964	327,965

In-Person Voting with Photo Identification: Legal Challenges

- Preclearance:
 - Georgia Photo ID law and Rules were separately precleared in 2006 by the Department of Justice.
 - SB 84 was precleared in about 2 months.
 - Rules and regulations, forms, applications, etc. implementing SB 84 was precleared in 8 days.
- Lawsuits:
 - Georgia Photo ID law has withstood scrutiny in the Georgia Supreme Court, Federal District Court, and the 11th Circuit Court of Appeals.
 - Lake v. Perdue (decided 2007; Georgia Supreme Court)
 - Georgia Supreme Court held that the plaintiff lacked standing because the plaintiff was able to obtain a photo ID.
 - Common Cause v. Billups et al. (decided 2009; 11th Circuit)
 - 11th Circuit Court of Appeals found that the burden imposed by the requirement of photo ID is outweighed by Georgia's interest in safeguarding the right to vote.
 - The Court found that the burden imposed on Georgia voters who lack a photo ID was not undue or significant.
 - Moreover, the court found that the plaintiffs were unable to direct the Court to any evidence that supported the plaintiffs claims that photo ID burdened minority groups, and they failed to identify a single person who would be unable to vote because of the Georgia law.
 - Democratic Party of Georgia v. Perdue et al
 - Currently pending in Georgia Supreme Court
 - In April 2010, the lower court dismissed the lawsuit of the Democratic Party of Georgia on the grounds that the Georgia photo ID law did not violate the Georgia Constitution.

In-Person Voting with Photo Identification: Costs

2006 Initial Contract Amount	\$588,965.00
Annual Costs and Training, 2008 - 2010	\$169,370.25
Election Personnel Online Training	\$15,000
Grand Total	\$773,335.25

Notes:

The 2006 contract covered the following items:

1. One photo ID system per county (169 total)
2. Installation and training of personnel
3. Production quantity updates
4. Encryption services
5. One year system warranty
6. The production of 10,000 permanent Voter ID cards. This number was carried over into future years at no expense until the 10,000 commitment was fulfilled.

Costs of the free Georgia Voter Identification Card:

2008 = \$7.50/card

2009 = \$8.00/card

2010 = \$8.50/card

Outreach and Education Phases 1-6	\$841,914.44

Grand Total Costs, 2006-2010: \$1,615,249.69